.UP 10 2; Draft, printer 1; -n -PA4 -y -dFX-NORMAL -Fx -e; dumbp
.............L........T.......T.......T.......T.......T.......R
.UP 10 2; Draft, printer 1; -n -PA4 -y -dFX-NORMAL -Fx -e; dumbp
.............L........T.......T.......T.......T.......T.......R
.UP 10 2; Draft, printer 1; -n -PA4 -y -dFX-NORMAL -Fx -e; dumbp
.............L........T.......T.......T.......T.......T.......R
.UP 10 2; Draft, local-1; -n -PA4 -dFX-NORMAL -y -e; dumbp
L.......T.......T.......T.......T.......T.......T.......T....R
.............L........T.......T.......T.......T.......T.......R
.PL55
.SP2
.HE2

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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.803 OF 2005
WITH
CIVIL APPLICATION NO.940 OF 2005

Madhukar Sadanand Shirke & anr. ..Appellants.
Vs.
Purushottam Sadanand Shirke & Ors..Respondents.
....
Mr.R.S. Apte with Mr.N.R.Bubna for the Appellants.
Mr. S.J.Rairkar for Respondent Nos.1 to 7.
....

CORAM : DR.D.Y.CHANDRACHUD, J. @@
AAAAAAA AAAAAAAAAAAAAAAAAA AAA
29th November 2005.

P.C. :@@
CCCC
.............L.......I.......T.......T.......T.......T.J

In the considered exercise of his discretion the Learned Trial Judge declined to appoint a Receiver. Earlier, in R. C. Suit 43 of 2004, the application for injunction came to be disallowed upon the judgment of the Additional District Judge, Pune. The attention of the Court has been drawn to the observations contained in paragraph 6 of the judgment and order of the Additional District Judge, Pune dated 5th October, 2004. Defendant No.1 has executed a registered sale deed in favour of Defendant No.2. However, in the facts and circumstances of the case, while I am of the view that no case for appointment of the Receiver is made out, the trial of the suit is expedited. The Learned Trial Judge is requested to dispose of the suit within a period of six months from the date on which a certified copy of this order is produced before it. The Appeal from Order

is accordingly disposed of.

In view of the disposal of the Appeal from Order, the Civil Application is rendered infructuous and is accordingly disposed of.